
Appeal Decisions

Site visit made on 10 May 2022

by David Cliff BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th July 2022

Appeal A: APP/T0355/Y/21/3282346

Brookfield Lodge, Datchet Road, Horton, Slough SL3 9PS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Daljit Bhail against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref: 21/01984, dated 26 June 2021, was refused by notice dated 27 August 2021.
 - The works proposed are glazed link between existing cottage and summer room.
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Appeal B: APP/T0355/Y/21/3282347

Brookfield Lodge, Datchet Road, Horton, Slough SL3 9PS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Daljit Bhail against the decision of Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref: 21/01983, dated 26 June 2021, was refused by notice dated 27 August 2021.
 - The development proposed is glazed link between existing cottage and summer room.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As set out in its statement of case, in February 2022 the Council adopted the Borough Local Plan 2013-2033 (the Local Plan), replacing the previous Royal Borough of Windsor and Maidenhead Local Plan 2003. The Council has set out the relevant policies of the new Local Plan and the appellant has had the opportunity to comment. I have considered the appeals on this basis and in the light of the above and do not consider that either of the main parties has been prejudiced by me doing so.
4. As the appeal relates to a listed building I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act').

Main Issues

5. The main issues are:

- i) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework 2021 (the Framework) and any relevant development plan policies;
- ii) Whether the proposal would preserve a Grade II listed building, 'Brookfield, Datchet Road' (Ref: 1319361), and any of the features of special architectural or historic interest that it possesses; and
- iii) The effect upon the character and appearance of the area.

Reasons

Green Belt

6. Paragraph 149 of the Framework states that the construction of new buildings should be regarded as being inappropriate in the Green Belt, one of the exceptions being the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building¹. This approach is reflected by Policy QP5 of the Local Plan.
7. Approval was granted for the conversion of Brookfield Lodge from an annexe of Brookfield House to a self-contained cottage in 1997. It has not been extended since, nor does it appear to have been extended since 1948. Dating back to the 19th century, it adjoins Brookfield House via a link building also dating from the 19th century. An existing single storey detached 'summer room' is located to the front of Brookfield Lodge adjacent to the gated entrance from Datchet Road. The proposed building would link Brookfield Lodge to this summer room.
8. Based on the appellant's evidence, the proposed link building, being of a relatively modest size, would result in a 29% increase in the floor area of the original Brookfield Lodge building. On this basis, with only Brookfield Lodge itself being considered as the original building in the context of paragraph 149 of the Framework, the proposed link would not amount to a disproportionate addition over and above the size of the original building.
9. The Council has not provided an alternative floorspace figure, nor has it refuted the figures provided by the appellant in respect of the floorspace increase at Brookfield Lodge. Nevertheless, the Council consider, for Green Belt assessment purposes, the proposal should be assessed in terms of the cumulative increase for Brookfield House and its adjoining buildings as a whole, including the implications of the existing post 1948 extensions to Brookfield House approved in 2011. This is despite the Council excluding Brookfield Lodge when it assessed the Green Belt implications of the 2011 extensions to Brookfield House. However, on this basis, the cumulative increase in floor space would be considerably greater, amounting to 52%.
10. This figure is clearly pushing more on the limits of what might be disproportionate. However, also taking account of the modest height of the proposed link building in relation to that of Brookfield House and its adjoining buildings, even in this scenario that takes account of the original building as it existed in 1948 (Brookfield House as a single dwellinghouse), I am satisfied that the proposal would not result in disproportionate additions over and above the size of the original building.

¹ A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

11. Therefore, even on the basis of the approach considered by the Council, I am satisfied that the proposal would not amount to inappropriate development in the Green Belt. It would therefore accord with the Green Belt protection aims of Policy QP5 of the Local Plan and the Framework. Given this conclusion it has not been necessary for me to go on to separately consider the impact on Green Belt openness.

Listed Building

12. The building was listed in 1955 with the main house dating from the 18th century. The Grade II listed building comprises Brookfield House described in the listing description as 'a handsome small country house'. There are several extensions and additions attached to it. These include a former stable building and stores to the northeast and the existing rear link building which joins the main house with the cottage annex to the rear which, as described above, is now known as Brookfield Lodge. More recent extensions to Brookfield House were added following consent in 2011, including the pool enclosure which is located to the northwest of the main house and adjacent to the siting of the proposal.
13. Brookfield Lodge, now an independent dwellinghouse, appears to have been constructed in the 19th century as an annex or outhouse to the main house, with the existing link subsequently provided to the main house. As it is clearly attached to the main house via the existing link building, Brookfield Lodge forms part of the listed building rather than, as argued by the appellant, it being a separate curtilage building. It has been rebuilt internally and its mansard type roof appears to have been added later. Its materials and design contrast with the main house making it visibly distinct from it. Whilst it is of limited architectural interest, it has evidential value as part of the historic development and expansion of the original residence.
14. Given the above, I find that the significance of the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the evolution of a Georgian historic country house being illustrative of buildings of this period. The later additions, most specifically Brookfield Lodge for this appeal, despite being of lesser architectural significance provides an insight into the historic phasing, materials and changing patterns of use.
15. The proposed single storey link building would join Brookfield Lodge with the existing outbuilding. Whilst described in the application as a 'glazed link' building the associated drawings show the proposed building to be finished in render with glazed roof light and large French windows in the east facing elevation.
16. The proposal would project clumsily in front of the main façade of Brookfield Lodge. Its flat roof with glazed roof light would sit uncomfortably alongside and adjoining the mansard roof of Brookfield Lodge and low pitched roof of the existing outbuilding. Although the existing wall of the enclosed pool is already visible from the forecourt, the proposal would project forwards of it and the poor relationship with the other two adjacent buildings would lead to it sitting uncomfortably in this location. The rendered external finish would undermine the materiality and simplicity of the adjacent buildings. Whilst the original house has already been considerably extended, the link building would also diminish the contribution of the space at the front of the Lodge building and the way that it would be read as an historic annex to the main house. Although it is

only of a modest size in relation to the listed building and located at the rear of the main Brookfield House, the proposal would consequently undermine, albeit to a limited degree, the historic and architectural integrity of the listed building.

17. Given all the above, I find that the proposal, of the design proposed, would fail to preserve the special interest of the listed building. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.

Character and appearance

18. Policy QP3 of the Local Plan expects new development to contribute towards achieving sustainable high quality design.
19. Taking account of my reasoning above, the appearance of the proposal would not respond positively to the form, scale and architectural style and materials of the existing building. The gates and boundary wall adjacent to Datchet Road would screen the proposal from public viewpoints, although if the gates were open, views would be possible. However, it would be located adjacent to the front forecourt and entrance area of Brookfield Lodge and its incongruous appearance would make it a prominent addition within this space notwithstanding the much more limited views from beyond this immediate area.
20. Consequently, I find that the proposal would not amount to high quality design. Whilst, notwithstanding the heritage harm, the harm to the wider character and appearance of the area would be limited it would be contrary to the relevant design aims of Policy QP3 of the Local Plan and the adopted Royal Borough of Windsor and Maidenhead Design Guide 2020.

Other Matter

21. Although no objections have been received from the Parish Council or neighbours, this does not negate the need for the proposal to be assessed against the Development Plan and the requirements of the Act.

Planning Balance

22. Paragraph 199 of the Framework advises that when considering the impact of development on the significance of a designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. Given the modest size of the proposal and the lack of harm to the original historic fabric of the listed building, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
23. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings. The appellant is of the opinion that the proposal would be beneficial because it would optimise the use of Brookfield Lodge as a dwelling house by connecting two disparate buildings on its grounds to provide modern living space. However, this is a private benefit. The continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing

residential use and it has not been demonstrated that it would cease in the schemes absence.

24. Given the above and in the absence of any defined public benefit, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II listed building. It would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with Policies HE1 and QP1 of the Local Plan which seek, amongst other things, to conserve and respect the significance of the historic environment and achieve high quality design. Therefore, notwithstanding that it would accord with Green Belt policy, the proposal would not be in accordance with the development plan considered as a whole.

Conclusion

25. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

David Cliff

INSPECTOR